



JOHN KENNETH AMICK
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2124
\$ 41

~~Handwritten scribbles and marks~~

June 4, 2004

Commissioner for Patents
United States Department of Commerce
United States Patent and Trademark Office
P.O. Box 1450
Alexandra, VA 22313-1450

RECEIVED

JUN 14 2004

Technology Center 2100

Re: Application No. 09/556,439
Filing Date 04/24/2000
First Named Inventor: John Kenneth Amick
Attorney Docket No. 8006-0019-13
Request for Extension of Time to and Including July 17, 2004

Dear Commissioner:

I am writing to request an extension of time to and including July 17, 2004, in which to respond to the latest request of the patent examiner, Mr. Tuan Vu. Enclosed is my check in the amount of \$425, which, in addition to the \$50 check previously submitted to your office, totals \$475 as and for the penalty for a response submitted during the third month after the initial due date.

Explanation for Extension of Time to July 17, 2004

Over three years have passed since I initially submitted this patent application. Mr. Tuan Vu of your office has been reviewing the application since it was filed on April 24, 2000. I did not hear anything until I received the July 31, 2003, letter from Mr. Vu, in which he rejected certain claims. I responded to his letter on December 24, 2003. However, in the intervening three years, I was no longer able to afford an attorney and had to answer his objections *pro se*. I am still acting in *pro se*.

I had several versions of the patent and did not know which one had been filed by my prior attorney. I believed it was a version that had 21 claims, but, apparently, it was a version that had 31 claims.

Mr. Vu wrote me a letter stating that I had not responded to the correct version of the submitted patent application. I asked Mr. Vu to send me a copy of the correct version

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and he informed me that he could not do so. He wrote me a letter stating that I had an additional thirty days to respond, plus up to an additional three months, if the appropriate penalties were paid. I located a copy of a 31 claim version in my files and I wrote a response to his letter of July 31, 2003, based on that version.

I sent my response dated May 5, 2004, to your office on May 11, 2004, via Airborne Express. It was addressed to the following address:

U.S. Department of Commerce
U.S. Patent and Trademarks Commissioner for
P.O. Box 1450
Alexandria, VA 22313

When Airborne Express attempted delivery of my response, your mailroom rejected it and it was returned to me by Airborne Express on May 18, 2004.

Photocopies of the Airborne Express return label of May 18, 2004, and of the original shipping label from me to your office, as set forth above, are enclosed herewith.

Along with my response dated May 5, 2004, I sent my check in the amount of \$50, for the penalty for being within the first month of delayed response time.

On May 28, I came to the mailroom of your office and had delivered my response that was dated May 5, 2004, and which had been previously sent to you and rejected by the mailroom. I submitted the response and my check for \$50. A copy of that receipt is enclosed herewith.

The penalty fee for the first month is \$55. That amount appeared on my cover letter as having been enclosed with the response. However, I inadvertently made out the check for \$50 rather than for \$55. When the mailroom accepted my hand carried response, no one told me that the check was not for the correct amount and I did not notice it.

On June 3, 2004, I met with Mr. Vu and with his supervisor, John Chavis. My response had not yet reached them because it was in your scanner system. I provided each of them with a copy of the response and we discussed some of the issues associated with it. As a result of that discussion, it was decided that your office would not review the response dated May 5, 2004; that I would submit a new response within 30 days from June 3, 2004; and that I would submit a CIP on a later date. A copy of a letter dated June 3, 2004, regarding our agreement that the amendments submitted May 28, 2004, in my response, would not be entered because of issues of new matter, is also enclosed, reflecting a filed stamp dated June 3, 2004.

In the late afternoon of June 3, 2004, Mr. Vu called me to say that the original penalty check had been submitted in the wrong amount of \$50, and that I must write to you, enclosing an additional check in the amount of \$425, requesting an extension of time to and including July 17, 2004.

I respectfully request that an extension of time be granted to me to respond, up to and including July 17, 2004. It is very important to me that this pending application be completed as soon as possible. I have serious business opportunities that would be lost if there are any more delays. I believe that we are all now in agreement about what steps must be taken to complete the review process, and I sincerely hope that I will not have to start over at the beginning because of a \$5 error.

If you need additional information, please feel free to contact me.

Very truly yours,



John Kenneth Amick

JKA:mk

Enclosures:

1. Check for \$425, made payable to Commissioner for Patents;
2. Copy of label showing return of my response to me by Airborne Express on May 18, 2004;
3. Copy of label showing correct delivery address to your office for my response dated May 5, 2004, and sent to you on May 11, 2004;
4. Copy of my cover letter of May 5, 2004, and the \$50 check, showing a filed stamp for your mailroom of May 28, 2004;
5. Copy of a letter to your office, stating that the amendments submitted by me on May 28, 2004, shall not be entered because of issues of new matter, showing a filed stamp of June 3, 2004.



JUN- 4-04 FRI 10:34 AM 805.642.6930

FAX NO. 805.642.6930

P. 1

June 3, 2004

Commissioner of Patents
P O Box 1450
Alexandria, VA 22313

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JUN 14 2004

Technology Center 2100

Re: Attorney Docket No. 8006-0019-13
Confirmation No. 7593
Application No. 09/556,439

Gentlepersons:

The amendments submitted May 28, 2004,
shall not be entered because of issues of
new matter.

Very truly yours,
John Kenneth Amick

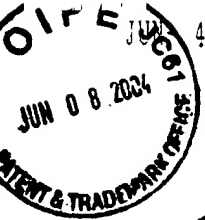
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JUN 04-04 FRI 10:34 AM

805.642.6930

FAX NO. 805 642 6930

P. 2

Ken Amick
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Email: kenamick@earthlink.net

May 5, 2004

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Department of Commerce
Patent and Trademark Office
Patents

-1450

Patent No. 8006-0019-13
No. 7593
No. 09/556,439

the following:

d, marked version of the above referenced patent application;

d, unmarked version of the above referenced patent application;

ation of Assignment of Application;

to Mr. Tuan A. Vu in response to Detailed Action of July 25, 2003
Responsive Amendment dated March 15, 2004; and

check in the amount of \$55.00 in payment for a thirty day extension of
17 (a) (small entity).

Additional information, please do not hesitate to contact me.

Very truly yours,

John Kenneth Amick
John Kenneth Amick

JKA:mmk
Encs.

1306
Date May 11, 2004 50.00 Dollars
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ALEXANDRIA VA

ATTN:
TUAN VU

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SHIP DATE
5/11/2000

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Package 17

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